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PATENT APPLICATION

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 200205862-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Stewart R. WYATT et al.

Confirmation No.: 5968

Application No.: 10/695,363

Examiner: Scott C. Sun

Filing Date: 10/28/2003

Group Art Unit: 2182

Title: A SYSTEM HAVING A STORAGE CONTROLLER THAT MODIFIES OPERATION OF A STORAGE
SYSTEM BASED ON THE STATUS OF A DATA TRANSFERCommissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 12/29/2005 rejecting the following claims 1, 2 & 4-9. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

 (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below: 1st Month
\$120 2nd Month
\$450 3rd Month
\$1020 4th Month
\$1590 The extension fee has already been filed in this application (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

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 I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: 03/14/2006

Typed Name: Colleen F. Brown

Signature: Colleen F. Brown

Respectfully submitted,

Stewart R. WYATT et al.

By



Alan D. Christenson

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Date : 03/14/2006

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